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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Criminal No. CR 07-0094 MAG
)	
Plaintiff,)	
)	
v.)	[PROPOSED] ORDER AND
)	STIPULATION EXCLUDING TIME
)	FROM JUNE 6, 2008 TO JUNE 20, 2008
SHAUN C. BATES,)	
)	
Defendant.)	
)	
)	

The parties appeared before the Honorable Joseph C. Spero on June 6, 2008.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from June 6, 2008, to June 20, 2008, due to the fact that Ron Tyler, the assigned defense counsel, was unavailable on June 6, 2008, and Assistant Federal Public Defender Steve Kalar stood in on behalf of Mr. Tyler for the defendant. For the purposes of continuity of counsel, time was excluded. Failure to grant the requested continuance would unreasonably

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deny defense counsel continuity of counsel.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from June 6, 2008, to June 20, 2008, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from June 6, 2008, to June 20, 2008, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: 7/1/08

/s/
STEVE KALAR
Assistant Federal Public Defender

DATED: 6/30/08

/s/
WENDY THOMAS
Special Assistant U.S. Attorney

IT IS SO ORDERED.

DATED: 7/14/08

